

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

CHRISTOPHER LEE NEAL,

Petitioner,

v.

Case No. 1:06cv69

JOYCE FRANCIS,

Respondent.

ORDER DENYING PETITIONER'S MOTION FOR RELEASE PENDING APPEAL
AND DENYING PETITIONER'S APPLICATION TO PROCEED WITHOUT
PREPAYMENT OF FEES

For the reasons set forth in this Court's May 3, 2007 "Order Affirming the Magistrate Judge's Report and Recommendation", the Court **DENIES** petitioner's Motion for release pending appeal (dkt. no. 22) and **DENIES** and **DISMISSES WITH PREJUDICE** Neal's Application to Proceed Without Prepayment of Fees and Affidavit (dkt. no. 25).

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to counsel of record and all appropriate agencies, and to mail a copy of this Order to the petitioner.

Dated: October 22, 2007

/s/Irene M. Keeley

IRENE M. KEELEY

UNITED STATES DISTRICT JUDGE